

THE BOARD OF SUPERVISORS
OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Special and Regular Session
Chairman Mayfield absent
Pledge of Allegiance to the Flag

Tuesday

September 16, 2008

Special Session convened at 5:30 p.m.

Recessed to Closed Session at 5:30 p.m. for a Conference with Legal Counsel - Anticipated Litigation - One Case. Government Code §54956.9(c). Conference with Legal Counsel - Existing Litigation - One Case: City of Patterson v. Stanislaus County, et al, Fresno County Superior Court Case No. 08-CECG-02901. Government Code §54956.9(a).

Reconvened at 6:30 p.m. for Regular Session

AAA gave a presentation regarding Fall Prevention Awareness Week and Vice-Chairman DeMartini presented a proclamation.

Professor Ken Meidl made a presentation regarding Modesto Junior College's new Science Community Center.

Bill Bassett, Executive Director of Stanislaus Economic Development and Workforce Alliance, presented the Annual Report for the Alliance.

Tom Chagnon, Stanislaus County Superintendent of Schools, spoke regarding the Fit for the Future Program.

Susanna Mendieta Beasley spoke regarding the International Festival that will be held on Saturday, October 4, 2008 at the Gallo Center for the Arts.

Grover/Monteith (4-0)(Mayfield absent) Adopted the consent calendar

- *A1 Approved the minutes of 09/09/08
- *A2 Accepted the resignation of Frank Ratajczak from the Keyes Fire Protection District Board of Directors 2008-650
- *A3 Appointed Brian Velthoen and Jeff Burda to the Stanislaus Economic Development and Workforce Alliance 2008-651
- *A4 Approved a commendation for Julie Machado upon her retirement from the Probation Department 2008-652
- *B1 Authorized BHRS to submit Pharmacy Permit applications and Change of Pharmacy Permit applications to the California Board of Pharmacy for the twelve outpatient sites; approved the site names list; and, authorized the BHRS Director, or her Designee, to sign the applications and any future applications pursuant to this request – BHRS 2008-653
- *B2 Adopted a resolution initiating a fifth expansion of the Stanislaus Enterprise Zone by approximately 778.5 acres in the communities of Hughson, Newman, Patterson, and

Waterford: and, authorized staff to prepare and submit a Zone Expansion Application Request to the State of California-Housing and Community Development Agency – CEO
2008-654

- *B3** Approved funding an Economic Development Bank Proposal from the Economic Bank for FY 2008-2009 in the amount not to exceed \$750,000 for the Riverbank Industrial Park Business Expansion Loan Program; authorized the CEO, or his Designee, to execute an agreement with the jurisdiction receiving funding from the Economic Development Bank for the FY 2008-09 funding cycle; and, authorized the Auditor-Controller to establish any and all necessary accounting protocols for the administration, tracking, disbursement and reimbursement of funds – CEO 2008-655
- *B4** Authorized the GSA Purchasing Division to issue a RFP on behalf of CSA for the provision of employment services to former foster youth participating in the Transitional Housing Program – Plus (THP – Plus) Program for the contract period of 01/01/09 through 06/30/10 – CSA 2008-656
- *B5** Approved Contract #08-85523 with the California Department of Public Health, California Asthma Public Health Initiative, for the Enhancing Local Capacity to Address Asthma Priorities Program, from 10/01/08 through 06/30/11; authorized the HSA Managing Director, or her Designee, to sign the contract and any amendments thereafter; and, directed the Auditor-Controller to increase appropriations and expenditures by \$65,000 as detailed in the Budget Journal form – HSA 2008-657
- *B6** Approved Contract #08-85477 A00 with the California Department of Public Health for the Women, Infants, and Children (WIC) Supplemental Nutritional Program, from 10/01/08 through 09/30/11, and any amendments thereafter; authorized the HSA Managing Director, or her Designee, to sign and execute the contract; and, directed the Auditor-Controller to increase appropriations and expenditures in the amount of \$53,000 as detailed in the Budget Journal form – HSA 2008-658
- *B7** Approved request from Memorial Medical Center to have exclusive use of Laird Park’s Group Picnic Area and Shade Structure on 09/20/08, from 6:30 am to 3:00 pm, for their Cancer Awareness Run & Ride; and, directed Memorial Medical Center to adhere to the requirements set forth by the Department Parks and Recreation 2008-659

Monteith/Grover (4-0)(Mayfield absent) **B8** Accepted the Mental Health Board Annual Report – BHRS
2008-660

Recessed at 7:59 p.m.

Reconvened at 8:08 p.m.

Monteith/O’Brien (4-0)(Mayfield absent) **B9** Accepted the response to the Civil Grand Jury Final Report Case #08-25, Correctional Facilities Inspections, regarding the Sheriff’s Department and the Probation Department and authorized the Chairman to forward the response to the Presiding Judge of the Superior Court; accepted the response to the Civil Grand Jury Final Report Case #08-27, Report on Containing the Emerging Threat of Hepatitis C through a Syringe Exchange Program, regarding the HSA Public Health Division except for the Civil Grand Jury Recommendations Nos. 1 and 2, as the recommendations are unreasonable considering the law enforcement concerns and the potential to encourage increased use of illegal drugs, and authorized the Chairman to forward the response to the Presiding Judge of the Superior Court; and, directed the CEO to ensure that the recommended actions approved by the Board of Supervisors be followed and completed by each County Department and report back to the Board of Supervisors as appropriate – CEO M-39-L-4 2008-661

O'Brien/Grover (4-0)(Mayfield absent) **B10** Authorized the Chairman to execute the Turlock Superior Court Transfer Agreement and the closing documents and other associated documents on behalf of the County in order to transfer the operational responsibility effective after Board approval and title shortly thereafter, to the Turlock Superior Court facility located at 300 Starr Avenue, Turlock, California; authorized the City of Turlock to process a lot line adjustment to the Turlock Superior Court property lot line, that will result in deeding approximately 2,180 square feet of the property to the City of Turlock, as requested by the Administrative Office of the Courts and authorized the CEO to execute a grant deed transferring the adjusted property to the City of Turlock; directed the Auditor-Controller to make quarterly installments of the County Facilities Payment associated with the Turlock Court facility of approximately \$24,942 annually, adjusted by an inflation index established in accordance with Government Code §70362 which provides that the preliminary inflation index prepared by the State Department of Finance will be recalculated at the beginning of the fiscal year following the date of transfer to reflect the final, revised inflation index with any over or underpayment reflected as a one-time adjustment to the first quarterly payment the next fiscal year; authorized the Chairman to sign the Grant Deed for the conveyance of the Turlock Courthouse to the State, which will be approved as to form by County Counsel, similar in form and content to that included as Exhibit C to the Transfer Agreement, upon agreement to accept title by the State of California; authorized the Chairman to sign an Agreement with the Administrative Office of the Courts to extend the 09/30/08 transfer deadline of the Main Modesto Courthouse and the Hall of Records to 12/31/08 with the 2.4% increase to the County Facilities payment as provided in Government Code §70321(b)(1) to not take effect; authorized the CEO to execute any other documents necessary to complete the transfer, upon approval as to form by County Counsel; and, finds that the recommended actions are exempt from the provisions of CEQA; and, **amended** the item to authorize the Vice-Chairman of the Board of Supervisors to sign the aforementioned documents on behalf of the Chairman – CEO 2008-662

O'Brien/Grover (4-0)(Mayfield absent) **B11** Authorized the Chairman to execute the Juvenile Court Transfer Agreement and other associated documents on behalf of the County effective after Board approval of the agreement for the Juvenile Court Facility that is part of the Probation/Juvenile Justice complex, located at 2215 Blue Gum Avenue, Modesto, California; approved the deferred County Facilities Payment associated with the Juvenile Court Facility, totaling approximately \$13,346 on an annual basis as adjusted in accordance with Government Code §70362; this section provides that the initial County Facilities Payment which is calculated using the preliminary inflation index prepared by the State Department of Finance will be recalculated at the beginning of the following fiscal year to reflect the final, revised inflation index for the date of transfer of that facility with any over or underpayment reflected as a one-time adjustment to the first quarterly payment the next fiscal year in the event the Administrative Office of the Courts elects to invoke its right to manage the Court space at some point in the future; authorized the CEO to execute any other documents necessary to complete the transfer, upon approval as to form by County Counsel; and, finds that the recommended actions are exempt from the provisions of CEQA; and, **amended** the item to authorize the Vice-Chairman of the Board of Supervisors to sign the aforementioned documents on behalf of the Chairman – CEO 2008-663

Corr 1 Acknowledged receipt of the Modesto Irrigation District's 2007 Annual Report.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Carmen Caldeira and Tyler Flaherty

Supervisor O'Brien commented that Vice-Chairman DeMartini ran a very good meeting tonight.

Supervisor Monteith attended a CSAC meeting last Thursday in Sacramento regarding positions on State Propositions. He noted that generally speaking any Propositions involving an expenditure of funds in which funds were not designated was not endorsed by CSAC.

Supervisor Grover reported that he, along with the CEO and senior staff from HSA, went to Baltimore last Tuesday and returned Wednesday night last week for a meeting with the US Department of Health and Human Services related to serious funding concerns for HSA.

Vice Chairman DeMartini reported that he attended a LAFCO conference in Los Angeles a week and a half ago. He noted that LAFCO is looking at a number of issues including SB 375(Steinberg) and water conveyance systems in the State.

The CEO reported that the State Legislature has approved a State Budget that does not address the long-term fiscal crisis faced by the State. The Governor plans to veto this Budget. There is no long-term budget solution yet.

Adjourned at 10:04 p.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: ELIZABETH A. KING, Assistant Clerk of the Board of Supervisors
(The above is a summary of the minutes of the Board of Supervisors. Complete minutes are available from the Clerk of the Board's Office.)